



ARIZONA STATE RETIREMENT SYSTEM

3300 NORTH CENTRAL AVENUE • PO BOX 33910 • PHOENIX, AZ 85067-3910 • PHONE (602) 240-2000
7660 EAST BROADWAY BOULEVARD • SUITE 108 • TUCSON, AZ 85710-3776 • PHONE (520) 239-3100
TOLL FREE OUTSIDE METRO PHOENIX AND TUCSON 1 (800) 621-3778
EMAIL ADDRESS: ASKMAC@AZASRS.GOV • WEB ADDRESS: WWW.AZASRS.GOV

Paul Matson
Director

ASRS Member Appeals Information

ASRS members have the right to appeal decisions made by the ASRS with respect to their personal business with the agency.

The ASRS follows the state's Uniform Administrative Hearing Procedures as outlined in Arizona Revised Statutes §§ 41-1092 et seq.

The process is outlined below.

- Step 1:** Members are directed to write a letter of appeal to the ASRS Member Services Division - Assistant Director. The issue is researched by ASRS staff and a written response is prepared and reviewed by the Assistant Director, generally within 10 business days. ASRS legal counsel may also be consulted. The response is mailed to the member via certified mail under the Assistant Director's signature.
- Step 2:** If the member continues to disagree, the next step is to write an appeal letter to the ASRS Deputy Director. The member may bypass the Assistant Director level appeal and initially write to the Deputy Director. The issue is researched by ASRS staff and a written response is prepared and reviewed by the Deputy Director, generally within 10 business days. Unfavorable responses are reviewed by ASRS legal counsel to ensure the resolutions comply with Arizona Revised Statutes and Arizona Administrative Code rules.
- All responses are reviewed by the Assistant Director for Member Services and the Deputy Director. Responses are mailed via certified mail under the Deputy Director's signature.
- Step 3:** Members disagreeing with a Deputy Director level determination have 30 days to appeal to the ASRS Board of Trustees. Upon an appeal to the Board of Trustees, and prior to the Board reviewing the case, an Informal Settlement Conference is scheduled and will include an ASRS representative, an Assistant Attorney General for the ASRS and the member. The Informal Settlement Conference may be held at the appealing member's request.
- Step 4:** If no settlement is reached at the settlement conference or prior to the scheduled Board hearing, both the ASRS and member proceed to the Office of Administrative Hearing to present the case to an Administrative Law Judge. The Administrative judge has 20 days to render a Recommended Decision to the ASRS Board of Trustees.
- Step 5:** At a Board of Trustees meeting, the Board may accept, reject, or modify the Administrative judge's recommendation. In order to modify or reject a recommendation, a finding of an error in fact or law must be found.
- The member has the right to appear before the Board of Trustees.
- Step 6:** If the member disagrees with the Office of Administrative Hearing decision and the ASRS Board of Trustees upholding of that decision, the member has the right to file judicial review action in Maricopa County Superior Court pursuant to A.R.S. §§ 12-901 et seq.
- The member must prove that the ASRS decision is not supported by substantial evidence, is contrary to law, is arbitrary and capricious or is an abuse of discretion.